

United States District Court  
Southern District of Texas

**ENTERED**

March 16, 2022

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

HARRIS COUNTY, TEXAS,

§

*Plaintiff,*

§

v.

§

CIVIL ACTION H-19-4994

ELI LILLY AND COMPANY *et al.*,

§

*Defendants.*

§

**FINAL JUDGMENT**

On February 16, 2022, the Court entered an order granting defendant OptumRx, Inc.’s motion to dismiss the plaintiff Harris County’s Fourth Amended Complaint (the “February 16 Order”). Dkt. 182. The Court further invited renewed motions from the other Defendants because the February 16 Order’s analysis affected other dispositive legal issues in the case. Dkt. 183. Though the County objects to the February 16 Order, its rationales, and holdings, the parties jointly moved for entry of judgment in favor of the defendants.<sup>1</sup> Dkt. 186. In their proposed order, the parties state:

The Court’s February 16 Order and the legal conclusions in that Order apply with equal force to the County’s claims against the other Defendants and are dispositive as to those claims for the reasons set forth in that order, which is incorporated herein by reference.

WHEREFORE, judgment is hereby entered as follows:

1. In light of the February 16 Order, OptumRx, Inc. is awarded judgment on all claims in the Fourth Amended Complaint;
2. In light of the fact that the holdings of the February 16 Order are dispositive of the County’s claims against the remaining Defendants, all remaining Defendants are awarded judgment on all claims in the Fourth Amended Complaint; and
3. The County’s claims against all Defendants are dismissed with prejudice, with

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<sup>1</sup> The County notes that it preserves its right to appeal and intends to appeal. Dkt. 186.

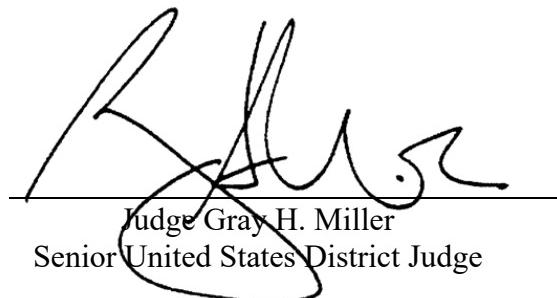
each party to bear its own costs, expenses and fees.

Dkt. 186, Ex. A.

The Court enters judgment as follows:

1. In light of the February 16 Order, OptumRx, Inc. is awarded judgment on all claims the County raised against it in the Fourth Amended Complaint;
2. Because the parties jointly contend that the February 16 Order's holdings are dispositive of the County's claims against the remaining defendants and that judgment should be entered in favor of "all remaining defendants," *see id.*, the court awards all remaining defendants judgment on all the County's claims in the Fourth Amended Complaint; and
3. The County's claims against all defendants are dismissed with prejudice, with each party to bear its own costs, expenses and fees.

It is so ORDERED, this day of March 16, 2022.



Judge Gray H. Miller  
Senior United States District Judge

A handwritten signature of Judge Gray H. Miller is written over a solid horizontal line. Below the line, the judge's name is printed in a standard font, with "Senior" preceding "United States District Judge".